IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.66973-M of 2006
Date of Decision:- 12.1.2007

Jai Singh ....Petitioner(s)

through
Mr.Sanjeev Kadian, Advocate

vs.

State of Haryana ....Respondent(s)

through
Mr.Tarun Aggarwal, Sr.DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner, who is a life convict, is aggrieved at the order dated 15.9.2006 (Annexure P-2) passed by the Director General of Prisons, Haryana whereby his request for parole for house repairs has been turned down on the ground that the repairs can be carried out by his other family members.

Somewhat similar stand has been taken in the written statement filed on behalf of the respondents. In addition, it is mentioned that the petitioner's house is in such a condition that it cannot be repaired.

Both the reasons assigned by the respondents are too vague and wild. No particulars of the family members who are capable to get the house repaired, have been mentioned. Similarly, it is not clear from the report of the District Magistrate as to whether the house of the petitioner is newly constructed and does not require repairs or that it is so badly damaged that it cannot be repaired.

Consequently and for the reasons aforestated, this petition is allowed to the extent that the impugned order dated 15.9.2006

(Annexure P-2) is quashed and the Director General of Prisons, Haryana, is directed to reconsider the petitioner's request after obtaining a definite report in relation to the condition of his house and the other allied issues, noticed above. The necessary decision shall be taken within a period of one month from the date of receipt of certified copy of this order.

January 12, 2007 **(SURYA KANT)**
poonam **JUDGE**